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Docket No. USF-T176X
Serial No. 09/744,875Remarks

Claims 1, 8-13, 16, 19-30, 32-35, 37-39, 41-48, and 50-77 are pending in the subject application. Applicants acknowledge that claims 1, 16, 19, 30, 32-35, 41-48, 50-63, and 66-77 have been withdrawn from further consideration as being drawn to a non-elected invention but will be rejoined in the application upon allowance of any composition claims and providing that the withdrawn method claims recite all the limitations of the allowed composition claim. Applicants have indicated in this Amendment that claims 1, 16, 19, 30, 32-35, 41-48, 50-63, and 66-77 have been "withdrawn." In addition, by this Amendment, Applicants have canceled claim 21 and amended claim 20. New claim 78 has been added by this Amendment but Applicants acknowledge that it will be considered "withdrawn" as being drawn to a non-elected invention until the method claims are rejoined in the subject application. Support for the amendments and new claim can be found throughout the subject specification and in the claims as originally filed. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 1, 8-13, 20, 22-29, 37-39, 64, and 65 are currently before the Examiner. Favorable consideration of the pending claims is respectfully requested.

As an initial matter, Applicants gratefully acknowledge the Examiner's withdrawal of the rejections under 35 USC § 112, second paragraph, and 35 USC §§102(b) and 103(a).

Applicants also gratefully acknowledge the Examiner's indication that claims 8-13, 20, 27, 28, 64, and 65 are free of the prior art and allowable. In the written Restriction Requirement dated April 7, 2004, the Examiner indicated that the process claims would be rejoined in the subject application if any of the elected product claims were found allowable. Applicants note that all of the independent method claims recite all of the limitations of the allowed composition claims, e.g., the method claims recite that the oligonucleotide comprises the nucleotide sequence of SEQ ID NO:1. In view of the Examiner's indication that product claims 8-13, 20, 27, 28, 64, and 65 are allowed, it is respectfully requested that withdrawn process claims 1, 16, 19, 30, 32-35, 41-48, 50-63, and 66-78 be rejoined in the subject application. Applicants note that claims 1, 16, and 19 were amended in the Amendment dated October 29, 2004 and entry of the amendments presented therein is respectfully requested.

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Claim 21 is objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. By this Amendment, Applicants have canceled claim 21. Thus, this objection is moot. Accordingly, reconsideration and withdrawal of the objection is respectfully requested.

Claims 22-26 and 29 are rejected under 35 USC § 112, second paragraph, as indefinite on the grounds there is insufficient antecedent basis for the term "said transcription factor" and "said cell" in the claims. By this Amendment, the preamble of claim 20 has been amended to read "An agent for inhibiting a transcription factor in a cell . . .," thereby providing antecedent basis for the terms in the dependent claims. Applicants respectfully assert that entry and consideration of the amendment to the claim will not require further search or undue examination on the part of the Examiner. Accordingly, entry of the amendment is respectfully requested. Reconsideration and withdrawal of the rejection under 35 USC § 112, second paragraph, is respectfully requested.

It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion and should not be construed as an indication of Applicants' agreement with or acquiescence in the Examiner's position.

In view of the foregoing remarks and amendments to the claims, Applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§ 1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

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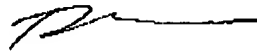
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Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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